

A BILL

FOR AN ACT REQUIRING THE EXAMINATION AND PROVIDING FOR THE LICENSING
OF MUNICIPAL AND COUNTY ENGINEERS AND FOR THE PROTECTION OF
PUBLIC PROPERTY AND PUBLIC HEALTH.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. That within sixty days after the passage of this act, the governor shall appoint
2 a state board of examiners of civil engineers, to be composed of three members, all of whom
3 shall have been in the actual practice of civil engineering for at least ten years. One of said
4 members shall be appointed to hold office for two years from the first day of June following
5 the passage of this act. Another member shall be appointed to hold office for four years from
6 said date, and the third shall be appointed to hold office for six years from said date; and upon
7 the expiration of the terms of office of the persons so appointed the governor shall appoint a
8 successor to each person whose term shall expire, to hold office for six years, and said person
9 so appointed shall have the above qualifications as to practice and shall hold full license as
10 county engineer and municipal engineer issued to him by said board after examination as
11 herein provided. In case the appointment of a successor is not made before the expiration of
12 the term of any member, such member shall hold office until his successor is appointed and
13 duly qualified.

Sec. 2. The members of such board, before entering upon the discharge of their duties,
2 shall make and file with the secretary of state an oath of office, which oath of office shall
3 declare the members have been in the actual practice of civil engineering for ten years. They
4 shall, as soon as organized, and annually thereafter in the month of May, elect from their num-
5 ber a president, a secretary and a treasurer, but one member may hold more than one office.

6 The treasurer shall file a bond with the secretary of state in the penal sum of two thou-
7 sand dollars (\$2,000), with sureties to be approved by him. The board shall adopt rules and
8 regulations to govern its proceedings, and shall keep a record of all its proceedings, which
9 shall be open at all times to public scrutiny, except that records of the standings, or failures

10 of candidates to pass examinations as hereinafter provided for, shall not be open to public
11 inspection, and the board shall not divulge the relative standing of licenses. The secretary
12 shall receive compensation for his services as secretary, to be fixed by the board, of not to
13 exceed four hundred dollars (\$400) per year, in addition to traveling and other expenses
14 incurred in the discharge of his official duties. The members shall receive six dollars each for
15 each day actually engaged in their official duties in addition to all legitimate traveling and
16 other necessary expenses incurred in the discharge of their duties, and such expenses shall be
17 audited and allowed by the board, and all compensation and expenses herein provided for to
18 be subject to diminution as hereinafter provided. All expenses of whatever kind and all com-
19 pensation of members or officers of the board shall be paid from the fees received by the board
20 under the provisions of this act, and no part of such compensation or expenses shall be paid
21 by the state. If the fees received under the provisions of this act shall not be sufficient for
22 the payment of such expenses and compensation, then such expenses shall be first paid, includ-
23 ing all expenses of the publications herein after provided for and of office rent, and the mem-
24 bers and officers of said board shall rebate pro rata such part as may be necessary for the com-
25 pensation to which they would otherwise be entitled. All money received in excess of the
26 amount herein provided for expenses and compensation shall be kept by the treasurer of such
27 board as a special fund, and at the end of each year all of said fund then on hand in excess of
28 one thousand dollars (\$1,000) shall be paid into the state treasury.

Sec. 3. The board shall adopt rules and regulations for the examination of applicants
2 for license to practice civil engineering in accordance with the provisions of this act, and shall
3 fix the standards of examinations to be adopted and may amend and modify such rules and
4 regulations or standards of examinations from time to time. The secretary of such board shall
5 cause said rules and regulations to be published in pamphlet form and distributed to parties
6 applying therefor.

Sec. 4. Provision shall be made by the board for holding examinations at least once each
2 year, beginning the first week in December, and at such other times as it may designate. Any
3 person over twenty-one years of age, upon payment of a fee of five dollars, shall be entitled to
4 take any one or all of such examinations herein provided for which shall be given at one
5 meeting of the board. All examinations shall be made directly by said board, or a committee
6 of two of its members appointed by the board, and due notice of the time of the holding of
7 such examination shall be given in such manner as the board may deem best.

Sec. 5. The examination for municipal engineer shall have especial reference to the

2 strength, safety and construction of bridges and other structures to carry lives, or the property
3 of the public, and to the knowledge of the candidate of the strength and properties of mate-
4 rials, and of city surveying and of civil engineering as affecting sanitation, water supply and
5 sewerage, and his or her ability to make practical application of such knowledge in the ordi-
6 nary professional work of civil engineering relating to such matters and in the duties of
7 inspection and supervision of such engineering work as is included within the scope of this
8 section. If the result of the examination of a candidate for municipal engineer be satisfactory
9 to a majority of the board under its rules the secretary shall, upon the order of the board, and
10 upon the payment by said candidate of a further fee of ten dollars, issue to such candidate a
11 license to practice civil engineering in the state on public highway bridges twenty feet or
12 more in length and on other structures and on the sanitation, sewerage, or water supply of
13 cities, and on such other work as is included within the scope of this section. Each civil
14 engineer so licensed shall have his license recorded in the office of the secretary of state within
15 thirty days after it is issued, and shall pay a fee of one dollar for such recording.

Sec. 6. The examination of county engineers shall have especial reference to the strength,
2 safety and construction of highway bridges and other structures to carry lives and the prop-
3 erty of the public, and the knowledge of the candidate of the strength and properties of
4 materials, of the location, drainage and construction of highways, and his or her ability to
5 make practical application of such knowledge in the ordinary professional work of civil
6 engineering relating to such matters, and in the duties of inspection and supervision of such
7 work as is included within the scope of this section. If the result of the examination of a
8 candidate for county engineer be satisfactory to a majority of the board, under its rules, the
9 secretary shall, upon the order of the board, and upon the payment by said candidate of a
10 further fee of ten dollars, issue to such candidate a license to practice civil engineering in the
11 state on highway bridges, twenty feet or more in length, and on such other work as is included
12 within the scope of this section. Each civil engineer so licensed shall have his license
13 recorded in the office of the secretary of state within thirty days after it is issued, and shall
14 pay a fee of one dollar for such recording.

Sec. 7. Any person who shall pay to the secretary the fee of five dollars, and by affidavit
2 and other evidence, show to the satisfaction of the state board of examiners of civil engineers
3 that he or she had been engaged in the practice of county engineering or municipal engineer-
4 ing, as included within the scope of this act, and prior to its passage for a period of five years,
5 shall be entitled to a license to practice as a county engineer or municipal engineer without

6 examination, the license granted to be determined by the board, and to depend on the kind
7 and extent of practice. Such license, when granted, shall set forth the fact that the person to
8 whom the same was issued has practiced civil engineering for a period of five years prior to
9 the passage of this act, on work indicated by the kind of license granted, and the secretary shall
10 upon the order of the board, and upon the payment of the further fee of ten dollars, issue to
11 the person named in the affidavit a license to practice as a county engineer or municipal
12 engineer, as the board of examiners may determine, provided application for such license shall
13 be made before November 30, 1903, and provided also, that no license shall be issued to a per-
14 son by virtue of his or her having practiced civil engineering who shall have applied for exam-
15 ination and failed to pass the same to the satisfaction of the board.

16 In case of a co-partnership of civil engineers, each person whose name appears must be
17 licensed to practice civil engineering as included within the scope of this act. No stock com-
18 pany or corporation will be licensed to practice civil engineering, but the same may employ
19 licensed civil engineers.

20 Special examination may be given whenever the board shall consider it necessary.

Sec. 8. A civil engineer's license, issued in accordance with this act, shall remain in full
2 force until revoked for cause as hereinafter provided. Any license so granted may be revoked
3 by a unanimous vote of the state board of examiners of civil engineers, for gross incompetency,
4 or recklessness, or carelessness in the planning or building of structures, or for dishonest prac-
5 tices on the part of the holder thereof. But before any license shall be revoked for such causes,
6 the holder thereof shall be entitled to at least twenty days' notice of the charge against him,
7 and of the time and place of meeting of the board and determination of such a charge. After
8 the expiration of one year from the revocation of a license for causes, as set forth in this sec-
9 tion, the person whose license was revoked may have a new license issued to him by the secretary,
10 upon certificate of the board of examiners issued by them upon satisfactory evidence of proper
11 reasons for his or her reinstatement, and upon the payment to the secretary of the fee of ten
12 dollars. Each license under this act shall cause his or her license to be recorded with the
13 county clerk of the county in which he or she shall undertake to practice, and in case of failure
14 to so record such license the same shall be revoked, but may be renewed, at the discretion of
15 the board, on the payment of a fee to be determined by the board, but which shall not exceed ten
16 dollars.

Sec. 9. Each licensed civil engineer who desires to continue the practice of civil engineer-
2 ing shall, annually in advance during the time of such continuance in practice, pay to the

3 secretary of the board, in the month of January of each year, a fee of two dollars in the
4 cases of county engineers and three dollars in the cases of municipal engineers. If such fee is
5 not so paid the license of such engineer shall be revoked, but the same may be renewed by the
6 board on the payment of such delinquent fees as may be required by the board. In case a
7 license is revoked for any cause, the secretary of the board shall notify the clerks of the coun-
8 ties and the secretary of state.

Sec. 10. Every licensed civil engineer shall have a seal, the impression of which must con-
2 tain the name and place of business of the licensee, and the words "Licensed Engineer," or
3 "Licensed Municipal Engineer" and "State of Iowa," with which he shall stamp official draw-
4 ings and specifications issued from his office for use in this state. The form and dimensions of
5 such seal shall be designated by the board of examiners.

Sec. 11. After the year 1902 it shall be unlawful for any person to practice civil engineer-
2 ing on work within the scope of this bill, or to indicate by card, sign or other advertisement,
3 that he or she is entitled to practice on such work, without first having obtained and recorded
4 a license as herein provided, authorizing such practice, and any person so doing shall be
5 deemed guilty of a misdemeanor and punished accordingly.

Sec. 12. Within the meaning of this act a bridge is a structure to carry a highway over
2 an opening having a span of twenty feet or more in length.

Sec. 13. Nothing contained in this act shall prevent draughtsmen, students, clerks of
2 works, inspectors, or superintendents, as employes, from acting under the instructions and
3 directions of their employers who are licensed engineers; provided, however, that such
4 employe shall have no financial interest in the work in which he is employed.

Sec. 14. Within the first week of November, after the organization of the board, and
2 annually thereafter, the secretary of the board shall file with the auditor of state a full report
3 of the proceedings of the board, attested by the affidavits of the president and secretary, sub-
4 ject to the approval of the auditor of state.

5 Biennially, in the month of November in the odd-numbered years, the board shall file
6 with the governor of the state a full report of its proceedings during the biennium then
7 passed, which report shall contain a list of the persons holding licenses then in force, and the
8 same may be published by the board for distribution.

Sec. 15. This act, being deemed of immediate importance, shall be in full force and effect
2 on and after its publication in the Iowa State Register and the Des Moines Leader, news-
3 papers published at Des Moines, Iowa.